

REMARKS

The remarks made in the Advisory Action dated April 22, 2008 has been received and carefully noted. The following remarks, in addition to those presented in the Response filed on April 10, 2008, are submitted as a response thereto.

Claims 1-15, 32, 37, and 40-59 are currently pending in the application, of which claims 1, 15, 32, 37, and 40-42 are independent claims.

As will be discussed below, Komandur and Yarwood fail to disclose or suggest the elements of any of the presently pending claims.

Komandur generally describes transmitting packet data over a wireless network to a mobile station. The wireless network 120 transmits the packet data over the wireless air interface to the mobile station 125. See paragraph [0032]. If the mobile station becomes unreachable, the wireless content switch 115 stores the data packet in memory 155, prior to transmission to the mobile station 125. See paragraph [0045]. The wireless content switch 115 delays retransmission of the data packets until the reachability of the mobile station is determined. Once the mobile station is reachable, then a determination is made as to whether the retransmission timeout has occurred. If a retransmission timeout has occurred, then the “drain the packet” function is implemented.

Yarwood generally describes a cellular radio system in which, if no mobiles respond to a page repetition from a base station then it may be assumed that there are no longer any mobiles in the cell and the channel may be released. See column 7, lines 40-52. However, because of the possibility that a mobile is still in the cell but has missed a

paging attempt, the channel is only released after a number of successive paging attempts fail to get a response. When the broadcast facility is no longer required, then the broadcast center releases the call which stops further pages and releases the resources at abase stations and mobiles.

Similar to past Office Actions, the comments included on pages 2-4 of the Advisory Action do not provide any evidence showing how Komandur and Yarwood teach or suggest that when the monitoring indicates that the at least one condition is met, “to generate and send to the core network node one or more messages in response to one or more of said one or more messages from the core network node,” as recited in the present claims. The newly cited portion of Komandur (Paragraph [0049]) does not teach or suggest the claimed features. Instead, the cited portion simply provides that when the received data packets are in lower sequential order, the foregoing is indicative that the content source 105 has timed out prior to receiving appropriate acknowledgments. The wireless content switch 115 of Komandur examines the wireless radio link conditions and determines (step 265) whether the radio link is down. Whether the radio link is down or not can be determined by, for example, using a handshake signal. Wherein the radio link is down, the received data packets are blocked (step 270). However, Komandur does not provide any description of generating and sending to a core network node one or more messages in response to one or more of said one or more messages from the core network node.

Similarly to Komandur, Yarwood is devoid of any teaching or suggestion that when the monitoring indicates that the at least one condition is met, “to generate and send to the core network node one or more messages in response to one or more of said one or more messages from the core network node,” as recited in the present claims. Column 7, lines 41 to 52 of Yarwood does not teach or suggest sending any message from the base station to the broadcast centre when a paging attempt fails to get a response; in particular, it does not mention (i) sending from the broadcast station to the mobile device one or more messages to which the absence of a response would result in the broadcast centre releasing a communication link with the mobile device, and generating at the base station a message in response to said one or more messages from the broadcast centre; or (ii) the broadcast centre retaining a communication link with the mobile device despite receiving a notification that said mobile device is out of reach. Rather, Yarwood focuses on allocating a single channel to the broadcast service, irrespective of the number of mobile units in the cell, and not allocating a channel to a cell when there is no respond to a paging signal in that cell. Yarwood does not provide any description or suggestion of a generation or sending to the core network node of one or more messages in response to one or more of said one or more messages from the core network node as recited in the present claims. Also, Yarwood does not teach or suggest the notification and the functions performed in response to the notification as recited in independent claim 32.

Komandur is silent as to providing any description regarding the monitoring performed in the present application. Yarwood, in turn, deals with the problem of a

mobile device sometimes being in a physical location where it is unable to respond to a communication by only releasing the channel associated with the communication after a number of successive paging attempts. In contrast, the present application describes a different technique, which includes monitoring a condition associated with the wireless interface in order to get an indication of whether the mobile device is actually in such a physical location, or whether the absence of a response to the communication/message associated with the link is intentional.

Accordingly, the combination of Komandur and Yarwood would not disclose or suggest all of the elements of any of the presently pending claims.

Furthermore, the remaining prior art of record, Sivalingham and Lim, do not cure the deficiencies in Komandur and Yarwood, as Sivalingham and Lim do not disclose “when the monitoring indicates that the at least one condition is met, to generate and send to the core network node one or more messages in response to one or more of said one or more messages from the core network node,” as recited in independent claim 1 and similarly recited in independent claim 15.

Accordingly, it is respectfully requested that independent claims 1, 15, 32, 37, and 40-42 and related dependent claims be allowed. Withdrawal of the rejection is respectfully requested.

For the reasons explained above, it is respectfully submitted that each of claims 1-15, 32, 37, and 40-42 recite subject matter that is neither disclosed nor suggested in the

cited art. It is, therefore, respectfully requested that all of claims 1-15, 32, 37, and 40-42 be allowed, and that this application be passed to issuance.

If, for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Petition for Extension of Time
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